United Nations S/2002/1086

Security Council

Distr.: General
27 September 2002

Original: English

Letter dated 26 September 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 5 June 2002 (S/2002/640).

The Counter-Terrorism Committee has received the attached supplementary report from Bosnia and Herzegovina submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its attachment to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

02-61490 (E) 161002

BEST COPY AVAILABLE

Annex

Letter dated 19 September 2002 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

I have the honour to transmit a supplementary report by the Ministry for Foreign Affairs of Bosnia and Herzegovina, as requested by the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

(*Signed*) Mirza **Kusljugić**
Ambassador
Permanent Representative

Enclosure

Supplement to the report of Bosnia and Herzegovina addressed to the United Nations Security Council Committee for the fight against terrorism

In order to clarify parts of Report of Bosnia and Herzegovina to the UN Committee for fight against terrorism, regarding request of July 17, 2002. we provide the following answers.

SUB-PARAGRAPH 2 c)

Question:

Kindly explain whether the Law on Asylum and Immigration (or the proposed amendments to this law) contains provisions that meet the requirements of this sub-paragraph as:

- Which are the existing laws and procedures by means of which the secure shelter for terrorists has been made impossible, as are the laws on expel and extradition or placing a ban on entry for such persons. It would be desirable if countries may provide examples of such undertaken actions, if some actions in regard to this issue exist at all.

Answer: In March 2002 the Council of Ministers made a Decision on conditions under which foreigners may be declared *non grata* in Bosnia and Herzegovina, and through which the requirements provided for in sub-paragraph 2c) of 1373 UN Security Council Resolution have been fulfilled. Adoption of BiH Law on Asylum and Immigration is currently in a parliamentarian procedure.

SUB-PARAGRAPH 2 c)

Question:

Describe mechanisms of inter-agency cooperation in a uniform implementation approach to Resolution, especially in regard to mutual acts between the authorities responsible for control of drugs, financial investigations and security in the sense of border control.

Answer: According to the Dayton Agreement and the Constitution, the constitutional and legal system of BiH is specific taking into account the existence of two BiH entities and Brčko District.

Court-prosecutor's, police, financial, customs and other institutions of the system in charge of the performance of certain tasks in the framework of its competence in the field of fight against international terrorism, control of drugs, financial investigation and borders control are in a great extent mutually independent, insufficiently harmonised, as in the field of regulations in force, the same way in the field of their application. For that reason the mechanisms of mutual cooperation is mostly dependent on harmonisation of regulations at the state level; and later on with neighboring countries, countries in the regional as well as with the Western European countries and international community. Law on criminal-legal assistance between both BiH entities and Brčko District has also been passed and it contributes to harmonisation of regulations at the level of BiH.

PARAGRAPH 4

Question:

Does BiH direct itself towards the issues provided for in paragraph 4 of Resolution that reads as follows:

Close connection between international terrorism and transnational organised crime has been notified with great concern as well as drugs smuggling, money laundering, illegal arms trade and illegal transfer of nuclear, biological, chemical and other potentially fatal material. In this context, need of promotion of efforts has been pointed out in regard to national, subregional, regional and international cooperation with a view of strengthening the global answer to this serious challenge and threat to national security.

Answer: Having in mind international obligations of BiH as state in relation to application of paragraph 4 of 1373 UN Security Council Resolution, Bosnia and Herzegovina makes permanent effort towards realisation of stronger cooperation and signing some bilateral agreements regarding national, subregional, regional and international cooperation aiming at strengthening response to each threat to national security pursuant requirements provided for in the mentioned paragraph.

OTHER QUESTIONS

Question:

Is BiH able to provide organisational scheme of the bodies of administration mechanism, such as police, immigration control, customs, tax and financial police, established in order to provide practical effects of implementation of laws, regulations and other state documents which contribute to the purpose of the said UN Resolution.

Answer:

Organisational scheme of the bodies of administration mechanism in the fight against international terrorism, including police, immigration control, customs, tax and financial police and which provides efficient participation of BiH in the fight against terrorism is made up as follows:

- Presidency of BiH
- Council of Ministers
- BiH Coordination team for Fight against Terrorism, established by the Council of Ministers of BiH
- Ministry of Civil Affairs and Communications with its sectors for relations with Interpole and for providing international legal assistance
- Ministry of Social Policy, Displaced Persons and Refugees
- Working Group on the Fight against Corruption and Organised Crime at the level of the state of BiH
- Police (SBS. FMIA, RS MIA and BiH Brčko District Police)
- Federal Intelligence-security Service FISS (newly established) and Intelligence-security Agency of Republika Srpska
- Ministries of Defense FBiH and RS with appropriate services
- Ministries of Finance of FBiH, RS and appropriate services of BiH Brčko District, within which we have.
    a) Financial Police
    b) Tax Administration
    c) Customs Administration
- Banking Agency of FBiH, RS and appropriate services of BiH Brčko District

All organisational units efficiently participate in the fight against international terrorism at the level of BiH as state and represent an important subject concerning this issue; this has been proved in the recent period.

Although Bosnia and Herzegovina as a state is of jagged and specific constitutional and legal order, in cooperation with international institutions it may provide organisational scheme of bodies of administration mechanism and the efficiency of all authorities and mechanisms in the fight against international terrorism.